The Facebook, Inc. v. Connectu, LLC et al
Doc. 241 Att. 1

EXHIBIT 1

Dockets.Justia.com

FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP

Stanford Research Park ▪ 3300 Hillview Avenue ▪ Palo Alto, CA 94304-1203 ▪ 650.849.6600 ▪ Fax 650.849.6666
www.finnegan.com

SCOTT R. MOSKO
(650) 849-6672
Scott.Mosko@finnegan.com

December 14, 2007

Theresa Sutton, Esq.
Orrick, Herrington & Sutcliffe LLP
1000 Marsh Road
Menlo Park, CA 94025

VIA EMAIL AND FACSIMILE

TheFacebook, Inc., et al. v. ConnectU, LLC, et al.
Case No. 5:07-cv-01389-RS - U.S. District Court for the N.D. of California

Dear Ms. Sutton,

I am writing to inform you that we will be filing a Motion to Withdraw as Counsel for Mr. Winston Williams early next week. We have been attempting to reach Mr. Williams for a number of weeks, but we have been unable to establish any form of contact with him. Mr. Williams has not returned our numerous phone messages or emails and we have not had contact with him for some time.

We began our efforts to reach Mr. Williams the day we received your reply brief in support of Facebook's Motion to Compel. I suspect you recall that during the conferences we had regarding Interrogatory Nos. 3 and 4, the only bases you raised to support your position that additional responses were appropriate were limited to Mr. Williams' testimony. Indeed, Plaintiffs' moving papers failed to argue any further reasons. However in your reply, and in a supplemental declaration, you cited to other documents to support your contention that additional responses were appropriate.

Suffice it to say that had you provided these arguments in the meet and confer, or even in the moving papers, we would have investigated them. We tried to do so once your reply was filed. However, we have now lost contact with Mr. Williams. As stated, we have called and left voicemails for Mr. Williams on numerous occasions, however, none of our attempts to contact Mr. Williams have been answered. We have also attempted to send him information via email on a number of occasions, and were unsuccessful in establishing contact with Mr. Williams.

As a result of losing contact, we can no longer effectively represent Mr. Williams and are forced to file a Motion to Withdraw as Counsel. We have sent letters and emails to Mr. Williams indicating our position. We will file a motion early next week and request that you agree to an order to shorten time for a response to this motion or agree to a stipulated order extending the time for Mr. Williams to respond to Interrogatory Nos. 3 & 4 until the Court is able to hear the motion. If I do not hear back from you by Monday at 12:00 p.m., then I will assume that you will not stipulate to any of the requests immediately above, I will move forward accordingly.

Very truly yours,

Scott R. Mosko